

2824

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Peter B. Gillingham  
Application No.: 09/654,367 Group: 2824  
Filed: September 1, 2000 Examiner: Andrew Q. Tran.  
Confirmation No.: 8231

For: METHOD OF MULTI-LEVEL STORAGE IN DRAM AND APPARATUS THEREOF

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:	
<u>2-21-2006</u>	<u>Patricia Sullivan</u>
Date	Signature
<u>Patricia Sullivan</u>	
Typed or printed name of person signing certificate	

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a Reply for filing in the above-identified application.

- [ ] Small entity status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a Small Entity Statement previously submitted.
- [ ] A Small Entity Statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.

The claims fee has been calculated as shown below:

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA
TOTAL	10	MINUS	* 20	0
INDEP	2	MINUS	** 3	0
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				

\* not fewer than 20

\*\* not fewer than 3

## SMALL ENTITY

	RATE	ADDIT. FEE
X	\$ 25	\$
X	\$ 100	\$
+	\$ 180	\$

TOTAL= \$ 0

OTHER THAN  
SMALL ENTITY

	RATE	ADDIT. FEE
X	\$ 50	\$ 0
X	\$ 200	\$ 0
+	\$ 360	\$

TOTAL= \$ 0

The Application Size Fee has been calculated as shown below:

(Effective for cases filed on or after December 8, 2004)

Actual Sheets (Including current amendment)	Highest No. of Sheets Paid For (At least 100)	No. of Additional Units Required (Increments of 50 sheets)

## SMALL ENTITY

Rate	Total Amount Owed
X \$125	\$[ ]

OTHER THAN  
SMALL ENTITY

Rate	Total Amount Owed
X \$250	\$[ ]

Payment  
Sufficient for  
up to

[ ] Sheets

### Petition for Extension of Time

[ ] Applicant hereby petitions to extend the time to respond to the [ ] dated [ ] for [ ] month(s) from [ ] to [ ]. The appropriate fee is set forth below.

[ ] [For action-specific language in an extension of time, go to insert, file, public folders, firm templates, and select the appropriate paragraph.]

**Please charge Deposit Account No. 08-0380 for the following fees:**

<input type="checkbox"/>	Petition for [            ] month Extension of Time	\$ _____
<input type="checkbox"/>	Claims Fee	\$ _____
<input type="checkbox"/>	Application Size Fee	\$ _____
<input type="checkbox"/>	Other Fees:	_____
	_____	\$ _____
	_____	\$ _____
	TOTAL:	\$ <u>0</u>

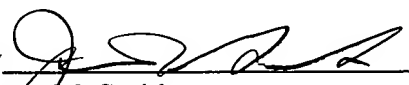
**A check is enclosed in payment of the following fees:**

<input type="checkbox"/>	Petition for [            ] month Extension of Time	\$ _____
<input type="checkbox"/>	Claims Fee	\$ _____
<input type="checkbox"/>	Application Size Fee	\$ _____
<input type="checkbox"/>	Other Fees:	_____
	_____	\$ _____
	_____	\$ _____
	TOTAL:	\$ <u>0</u>

☒ Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By  \_\_\_\_\_  
James M. Smith  
Registration No.: 28,043  
Telephone (978) 341-0036  
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Concord, Massachusetts 01742-9133

Dated: 2/21/6

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Peter B. Gillingham

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<u>2-21-2006</u>	<u>Patricia Sullivan</u>
Date	Signature
<u>Patricia Sullivan</u>	
Typed or printed name of person signing certificate	

REPLY

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This Amendment is being filed in response to the Office Action mailed from the U.S. Patent and Trademark Office on January 31, 2006 in the above-identified application. Reconsideration and further examination are requested.

Applicant thanks Examiner Tran for a helpful telephone conversation with the undersigned on February 15, 2006.

In the Office Action, Claims 10-19 were rejected based on expiration of U.S. Patent RE37072 due to non-payment of the required maintenance fees. In the telephone conference, Examiner Tran stated that the internal Patent Office database indicated non-payment. However, the undersigned pointed out that the USPTO public PAIR system indicated that the maintenance


fee had in fact been paid. Examiner Tran suggested that the receipt for payment of the maintenance fee be provided in response to the outstanding Office Action in order to overcome the rejection.

Attached are copies of the maintenance fee payment form submitted by Applicant and the postcard receipt and formal receipt received from the Patent Office after the fee was paid.

In view of the above remarks and the attached it is respectfully requested that the outstanding rejection be withdrawn and that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By   
James M. Smith  
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Facsimile: (978) 341-0136

Concord, MA 01742-9133

Dated: 2/21/6